

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Roman MUNOZ-GARCIA

Case No.

Case: 2:23-mj-30454

Assigned To : Unassigned

Assign. Date : 11/14/2023

Description: RE: RAMON  
MUNOZ-GARCIA (EOB)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 8, 2023 in the county of Oakland in the  
Eastern District of Michigan, the defendant(s) violated:

## Code Section

## Offense Description

Title 8, United States Code, Section 1326(a),(b)(1)

Unlawful Re-entry after Removal from the United States, Prior Felony  
Conviction

This criminal complaint is based on these facts:

On or about November 8, 2023, in the Eastern District of Michigan, Southern Division, Ramon Munoz-Garcia, an alien from Mexico, who had previously been convicted of a felony offense, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about August 8, 2023, and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), (b)(1).

☒ Continued on the attached sheet.  
Complainant's signatureChristopher Reichmann, Deportation Officer  
Printed name and title

Sworn to before me and signed in my presence.

Date: November 14, 2023  
Judge's signatureCity and state: Detroit, MichiganDavid R. Grand, United States Magistrate Judge  
Printed name and title

**AFFIDAVIT**

I, Christopher B. Reichmann, being duly sworn, depose and state the following under penalty of perjury:

1. I am a Deportation Officer with U.S. Immigration and Customs Enforcement (ICE), of the United States Department of Homeland Security. I have served with U.S. Immigration and Customs Enforcement since November of 2008. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed the official Immigration file and system automated data relating to Roman MUNOZ-GARCIA, which attests to the following:
2. Roman MUNOZ-GARCIA DOB: XX/XX/1987, A#XXX XXX 724 is a citizen and national of Mexico, who last entered the United States on an unknown date, at an unknown place, without inspection by the United States Department of Homeland Security.
3. On or about September 1, 2010, ICE arrested MUNOZ-GARCIA in Oklahoma City, OK and granted him Voluntary Return. On or about September 2, 2010, ICE removed MUNOZ-GARCIA from the United States to Mexico through Del Rio, TX.
4. On or about November 10, 2016, the 52-3 District Court in Rochester Hills, MI convicted MUNOZ-GARCIA for the offense of Operating-Impaired and sentenced him to 12 months' probation, fines, and costs.
5. On or about December 21, 2016, MUNOZ-GARCIA's wife, Yolanda Polanco-Cardoza, filed Form I-929 Petition for Qualifying Family Member of a U-1 Nonimmigrant on his behalf. On March 1, 2018, United States Citizen Immigration Services (USCIS) sent a denial notice of Form I-929 to Yolanda Polanco-Cardoza.
6. On or about January 9, 2017, ICE arrested MUNOZ-GARCIA in Rochester Hills, MI and issued him Form I-862 Notice to Appear.
7. On or about October 17, 2017, an Immigration Judge in Detroit, MI granted MUNOZ-GARCIA Voluntary Departure. On or about December 18,

2017, ICE witnessed MUNOZ-GARCIA depart to Mexico through Detroit, MI.

8. On or about April 21, 2018, Border Patrol (BP) arrested MUNOZ-GARCIA at or near Eagle Pass, TX and issued him Form I-860 Notice and Order of Expedited Removal.

9. On or about April 24, 2018, the U.S. District Court for the Western District of Texas convicted MUNOZ-GARCIA for the offense of Title 8 USC § 1325 Illegal Entry and sentenced him to 7 days' incarceration.

10. On April 26, 2018, MUNOZ-GARCIA was removed from the United States to Mexico through Del Rio, TX.

11. On or about August 29, 2018, the Troy Police Department arrested MUNOZ-GARCIA for the offense of Obstructing Police and Driving Without a License. A warrant was issued in that case and remains outstanding.

12. On or about August 30, 2018, ICE arrested MUNOZ-GARCIA in Detroit, MI and issued him Form I-871 Notice of Intent/Decision to Reinstate Prior Order.

13. On or about November 20, 2018, the U.S. District Court Eastern District of Michigan convicted MUNOZ-GARCIA for the offense of 8 USC § 1326(a) Unlawful Re-entry and sentenced him to time served.

14. On December 4, 2018, ICE removed MUNOZ-GARCIA from the United States to Mexico through Brownsville, TX.

15. On or about April 3, 2019, BP arrested MUNOZ-GARCIA at or near Eagle Pass, TX and issued him Form I-871 Notice of Intent/Decision to Reinstate Prior Order. On April 4, 2019, ICE removed MUNOZ-GARCIA from the United States to Mexico through Del Rio, TX.

16. On or about December 25, 2022, the Lincoln Park Police Department arrested MUNOZ-GARCIA for Domestic Violence. At the time of arrest, MUNOZ-GARCIA provided the alias name of Raul Bustos-Martinez. The charges were subsequently dismissed.

17. On or about December 25, 2022, ICE encountered MUNOZ-GARCIA following the arrest by Lincoln Park Police Department for Domestic Violence. ICE issued Form I-247 Detainer for MUNOZ-GARCIA.

18. On or about December 27, 2022, ICE arrested MUNOZ-GARCIA at the Lincoln Park Police Department in Lincoln Park, MI and served him Form I-871 Notice of Intent/Decision to Reinstate Prior Order.

19. On or about June 21, 2023, the U.S. District Court Eastern District of Michigan convicted MUNOZ-GARCIA for the felony offense of 8 USC § 1326(a) Unlawful Re-entry and sentenced him to 7 months' incarceration.

20. On August 8, 2023, ICE removed MUNOZ-GARCIA from the United States to Mexico through Brownsville, TX.

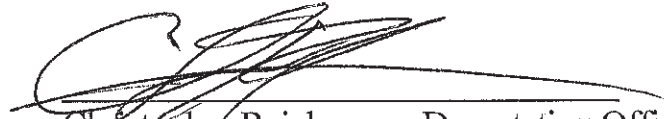
21. On November 8, 2023, ICE arrested MUNOZ-GARCIA in Troy, MI, and served him Form I-871 Notice of Intent/Decision to Reinstate Prior Order. At the time of arrest MUNOZ-GARCIA presented ICE officers with a Mexican driver's license with the alias name of Silverio Castillo-Cruz. Fingerprint checks confirmed a positive match for Roman MUNOZ-GARCIA, DOB: XX/XX/1987, AXXX XXX 724, a previously removed alien.

22. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.

23. After review of the alien file (A#XXX XXX 724) for Roman MUNOZ-GARCIA and queries of the subject of this affidavit in ICE computer databases, confirm no record exists of Roman MUNOZ-GARCIA, having obtained the express consent of the Attorney General of the United States or the Security of Homeland Security to re-apply for admission to the United States following his removal from the United States on or about August 8, 2023.

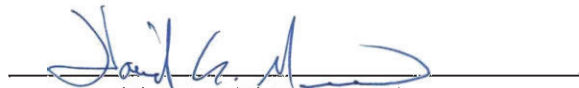
24. Based on the above information, there is probable cause to conclude that Roman MUNOZ-GARCIA, is an alien who had previously been convicted of

a felony offense, who is present in the United States after having been denied admission, excluded, deported, and removed there from on or about August 8, 2023 at or near Brownsville, Texas and not having obtained the express consent of the Attorney General of the United States or the Security of Homeland Security to re-apply for admission there to; in violation of Title 8, United States Code, Section 1326(a), (b)(1).



Christopher Reichmann, Deportation Officer  
U.S. Department of Homeland Security

Sworn to before me and signed in my  
presence and/or by reliable electronic means.



Honorable David R. Grand  
United States Magistrate Judge

Date: November 14, 2023